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			3621	

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Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/879,267

Applicant(s)

DU ET AL.

Examiner

Jalatee Worjloh

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NW

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 12 June 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-49 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-49 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>5</u> . | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

1. Claims 1-49 have been examined.

#### *Claim Rejections - 35 USC § 101*

2. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 1 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The claim is directed to a process that does nothing more than manipulate an abstract idea. There is no practical application in the technological arts. All that is necessary to make a sequence of operational steps a statutory process within 35 U.S.C. 101 is that it be in the technological arts so as to be in consonance with the Constitutional purpose to promote the progress of "useful arts." *In re Musgrave*, 431 F.2d 882, 167 USPQ 280 (CCPA 1970). Also, a claim is limited to a practical application when the method, as claimed, produces a concrete, tangible and useful result: i.e. the method recites a step or act of producing something that is concrete, tangible and useful. *See AT&T v. Excel Communications Inc.*, 172 F.3d at 1358, 50 USPQ2d at 1452.

Claim 40 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The invention, as defined by the claims and as best understood, merely manipulates an abstract idea without any limitation to a practical application. The invention is implemented on a computer; therefore, the invention is directed to the technological arts. However, the claimed invention manipulates data representing digital content and its associated metadata. The invention does not require physical acts to be performed outside the

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computer independent of and following the steps to be performed by a programmed computer, where those acts involve the manipulation of tangible physical objects and result in the object having a different physical attribute or structure. See *Diamond v. Diehr*, 450 US at 187, 209 USPQ at 8. The process of sending the digital content, have no direct effect on the physical world outside the computer. Thus, the claimed invention merely transmits data to a computer without any limitation to a practical application as a result of the transmission and is therefore deemed to be non-statutory.

Claim 42 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The invention, as defined by the claims and as best understood, merely manipulates an abstract idea without any limitation to a practical application. The invention is implemented on a computer; therefore, the invention is directed to the technological arts. However, the claimed invention manipulates data representing metadata and publication information. The invention does not require physical acts to be performed outside the computer independent of and following the steps to be performed by a programmed computer, where those acts involve the manipulation of tangible physical objects and result in the object having a different physical attribute or structure. See *Diamond v. Diehr*, 450 US at 187, 209 USPQ at 8. The process of retrieving and storing the metadata and publication, have no direct effect on the physical world outside the computer. Thus, the claimed invention merely retrieves data from a computer and stores it without any limitation to a practical application as a result of the retrieving and storing, this is therefore deemed to be non-statutory.

Claim 45 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The claim is directed to an abstract idea that is not tied to any

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practical application in the technological arts. All that is necessary to make a sequence of operational steps a statutory process within 35 U.S.C. 101 is that it be in the technological arts so as to be in consonance with the Constitutional purpose to promote the progress of "useful arts."

*In re Musgrave*, 431 F.2d 882, 167 USPQ 280 (CCPA 1970). Also, a machine claim is statutory when the machine, as claimed, produces a concrete, tangible and useful result. See *State Street Bank & Trust Co. v. Signature Financial Group, Inc.*, 149 F.3d at 1373, 47 USPQ2d at 1601 (Fed. Cir. 1998).

Claim 48 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The invention, as defined by the claims and as best understood, merely manipulates an abstract idea without any limitation to a practical application. The invention is implemented on a computer; therefore, the invention is directed to the technological arts. However, the claimed invention manipulates data representing digital content. The invention does not require physical acts to be performed outside the computer independent of and following the steps to be performed by a programmed computer, where those acts involve the manipulation of tangible physical objects and result in the object having a different physical attribute or structure. See *Diamond v. Diehr*, 450 US at 187, 209 USPQ at 8. The process of retrieving the digital content, have no direct effect on the physical world outside the computer. Thus, the claimed invention merely request a license and retrieves the data to a computer without any limitation to a practical application as a result of the transmission and is therefore deemed to be non-statutory.

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-7, 10, 12-20, 25-33, 36, and 38-48 are rejected under 35 U.S.C. 102(e) as being anticipated by US Patent No. 6226618 to Downs et al.

Downs et al. disclose receiving digital contents and metadata associated with the digital content, receiving publication information with the digital content, producing protected digital content (i.e. “content SC”) and sending a message including the metadata and publication information (see col. 18 table, step 121-129).

Referring to claim 2, Downs et al. receiving digital content includes receiving digital content from a digital content management (DCM) system (see col. 6, lines 37-41; col. 9, lines 15-18).

Referring to claim 3, Downs et al. receiving publication information includes receiving publication information using a graphical user interface (GUI) (see fig. 7, col. 18 table, steps 123-125).

Referring to claim 4, Downs et al. the method wherein the digital content includes at least one of streaming video content, music content, graphic content, print content, sound content, or audio content (see col. 6, lines 45-48).

Referring to claim 5, Downs et al. the method wherein metadata includes at least one of a name, length, publisher, location, or description associated with the digital content (see col. 9, lines 21-26).

Referring to claim 6, Downs et al. disclose the method wherein publication information includes at least one of pricing, rights, or catalog information associated with the digital content (see col. 18 table 124).

Referring to claim 7, Downs et al. disclose the method wherein producing protected digital content includes encrypting the digital content and storing the encrypted digital content into a file transfer protocol (FTP) directory such that the digital content is accessible over a network (see col. 67, lines 56-62; col. 68, lines 20-22).

Referring to claim 10, Downs et al. disclose the method wherein producing protected digital content includes controlling access to the digital content over a network (see col. 6, lines 65- 67; and col. 7, lines 1-10).

Referring to claim 12, Downs et al. disclose the method wherein sending includes sending a rights-label to a digital content rights management system (DRM), wherein the rights-label includes metadata and publication information associated with the digital content (see col. 9, lines 5-10, 48-60).

Referring to claim 13, Downs et al. disclose alerting a digital content distributor of the availability of the metadata and publication information associated with the digital content (see col. 18 table, step 130).

Referring to claim 14, Downs et al. disclose a memory unit, and a processor configured to (see col. 53, lines 65-67), receive digital content and metadata associated with digital content,

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produce protected digital content, store the protected digital content, and send a message including the metadata and publication information (col. 18 table, steps 121-129).

Referring to claim 15, Downs et al. disclose the apparatus wherein the processor is configured to receive digital content from a digital content management (DCM) system (see col. 6, lines 37-41; col. 9, lines 15-18).

Referring to claim 16, Downs et al. disclose the apparatus wherein the processor is configured to receive publication information using a GUI (see fig. 7, col. 18 table, steps 123-125).

Referring to claim 17, Downs et al. the apparatus wherein the digital content includes at least one of streaming video content, music content, graphic content, print content, sound content, or audio content (see col. 6, lines 45-48).

Referring to claim 18, Downs et al. the apparatus wherein metadata includes at least one of a name, length, publisher, location, or description associated with the digital content (see col. 9, lines 21-26).

Referring to claim 19, Downs et al. disclose the apparatus wherein publication information includes at least one of pricing, rights, or catalog information associated with the digital content (see col. 18 table 124).

Referring to claim 20, Downs et al. disclose the apparatus wherein producing protected digital content includes encrypting the digital content and storing the encrypted digital content into a file transfer protocol (FTP) directory such that the digital content is accessible over a network (see col. 67, lines 56-62; col. 68, lines 20-22).



Referring to claim 25, Downs et al. disclose the processor is configured to send includes sending a rights-label to a digital content rights management system (DRM), wherein the rights-label includes metadata and publication information associated with the digital content (see col. 9, lines 5-10, 48-60).

Referring to claim 26, Downs et al. disclose the processor is configured to alert a digital content distributor of the availability of the metadata and publication information associated with the digital content (see col. 18 table, step 130).

Referring to claim 27, Downs et al. disclose receive digital content and metadata associated with digital content, in response to receiving the digital content and metadata associated with the digital content, produce protected digital content, and send a message including the metadata and publication information (col. 18 table, steps 121-129, see col. 53, lines 65-67).

Referring to claim 28, Downs et al. instructions for causing the computer to produce protected digital content wherein the digital content is received from a digital content management (DCM) system (see col. 6, lines 37-41; col. 9, lines 15-18).

Referring to claim 29, Downs et al. disclose instructions for causing the computer to receive publication information includes receiving publication information using a graphical user interface (GUI) (see fig. 7, col. 18 table, steps 123-125).

Referring to claim 30, Downs et al. instructions for causing the computer to produce protected digital content, wherein digital content includes at least one of streaming video content, music content, graphic content, print content, sound content, or audio content (see col. 6, lines 45-48).

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Referring to claim 31, Downs et al. instructions for causing the computer to protect the digital content, wherein the metadata includes at least one of a name, length, publisher, location, or description associated with the digital content (see col. 9, lines 21-26).

Referring to claim 32, Downs et al. disclose instructions for causing the computer to produce protected digital content, wherein the publication information includes at least one of pricing, rights, or catalog information associated with the digital content (see col. 18 table 124).

Referring to claim 33, Downs et al. disclose instructions for causing the computer to produce protected digital content including instructions to encrypt the digital content and store the encrypted digital content into a file transfer protocol (FTP) directory such that the digital content is accessible over a network (see col. 67, lines 56-62; col. 68, lines 20-22).

Referring to claim 36, Downs et al. disclose instructions for causing the computer to produce protected digital content includes controlling access to the digital content over a network (see col. 6, lines 65- 67; and col. 7, lines 1-10).

Referring to claim 38, Downs et al. disclose instructions for causing the computer to send a rights-label to a digital content rights management system (DRM), wherein the rights-label includes metadata and publication information associated with the digital content (see col. 9, lines 5-10, 48-60).

Referring to claim 39, Downs et al. disclose instructions for causing the computer alert a digital content distributor of the availability of the metadata and publication information associated with the digital content (see col. 18 table, step 130).

Referring to claim 40, Downs et al. disclose send digital content and metadata associated with the digital content to a digital content publication (DCP) computer, in response to a request by the DCP computer (see col. 18 steps, 127-129).

Referring to claim 41, Downs et al. disclose send the metadata, wherein the metadata includes at least one of a name, length, publisher, location or description associated with the digital content (see col. 18, steps 127-129; see col. 9, lines 21-26).

Referring to claim 42, Downs et al. disclose retrieve metadata and publication information, in response to a message that the metadata and the publication information is available and store the metadata and the publication information (see col. 18, steps 130-135).

Referring to claims 43 and 46, Downs et al. store the metadata, wherein the metadata includes at least one of a name, length, publisher, location, or description associated with the digital content (see col. 9, lines 21-26).

Referring to claim 44 and 47, Downs et al. disclose store publication information, wherein publication information includes at least one of pricing, rights, or catalog information associated with the digital content (see col. 18, step 124).

Referring to claim 45, Downs et al. disclose retrieve metadata and publication information associated with digital content, in response to an alert that the metadata and the publication information is available, store the metadata and the publication information, and make available the metadata and the publication information (see col. 18, lines 130-135).

Referring to claim 48, Downs et al. disclose request a license to purchase digital content, and retrieve protected digital content based on whether the license grants access to the digital content (see col. 45, line 6y; col. 18, lines 136-148).

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 8, 21 and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Downs et al. as applied to claim 1 and 14 respectively above, and further in view of European Patent No. 1041823A2 to Saito et al.

Downs et al. disclose producing protected digital content includes encrypting the digital content and storing the encrypted digital content (see claim 1 above). Downs et al. do not expressly disclose the encrypted digital content into a real server transfer protocol (RSTP) directory such that the digital content is capable of being streamed over a network. Saito et al. disclose the encrypted digital content into a real server transfer protocol (RSTP) directory such that the digital content is capable of being streamed over a network (see paragraphs [0009] and [0046]). At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the method disclose by Downs et al. to include the step of encrypted digital content into a real server transfer protocol (RSTP) directory such that the digital content is capable of being streamed over a network. One of ordinary skill in the art would have been motivated to do this because it effectively deliveries streamed multimedia data over Internet Protocol networks.

Referring to claim 21, Downs et al. disclose an apparatus wherein the processor is configured to encrypt the digital content and store the encrypted digital content (see claim 1 above). Downs et al. do not expressly disclose the processor is configured to encrypt the digital content and store the encrypted digital content into a real server transfer protocol (RSTP) directory such that the digital content is capable of being streamed over a network. Saito et al. the processor configured to encrypt the digital content and store the encrypted digital content into a real server transfer protocol (RSTP) directory such that the digital content is capable of being streamed over a network (see paragraphs [0009] and [0046]). At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the method disclose by Downs et al. to include the processor configured to encrypt the digital content and store the encrypted digital content into a real server transfer protocol (RSTP) directory such that the digital content is capable of being streamed over a network (RSTP) directory such that the digital content is capable of being streamed over a network. One of ordinary skill in the art would have been motivated to do this because it effectively deliveries streamed multimedia data over Internet Protocol networks.

Referring to claim 34, Downs et al. disclose instructions for causing the computer to produce protected digital content including instructions to encrypt the digital content and store the encrypted digital content (see claim 1 above). Downs et al. do not expressly disclose instructions for causing the computer to encrypt the digital content and store the encrypted digital content into a real server transfer protocol (RSTP) directory such that the digital content is capable of being streamed over a network. Saito et al. instructions for causing the computer to encrypt the digital content and store the encrypted digital content into a real server transfer

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protocol (RSTP) directory such that the digital content is capable of being streamed over a network (see paragraphs [0009] and [0046]). At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the method disclose by Downs et al. to include instructions for causing the computer to encrypt the digital content and store the encrypted digital content into a real server transfer protocol (RSTP) directory such that the digital content is capable of being streamed over a network (RSTP) directory such that the digital content is capable of being streamed over a network. One of ordinary skill in the art would have been motivated to do this because it effectively deliveries streamed multimedia data over Internet Protocol networks.

7. Claims 9, 22, 35 and 49 are rejected under 35 U.S.C. 103(a) as being unpatentable over Downs et al. as applied to claims 1, 14 and 35 respectively above, and further in view of US Publication No. 2004/0064471 to Brown et al.

Downs et al. disclose producing protected digital content (see claim 1 above). Downs et al. do not expressly disclose producing thumbnail information associated with the digital content and storing the thumbnail information into a hypertext transfer protocol (HTTP) directory such that the thumbnail information is accessible over a network. Brown et al. disclose producing thumbnail information associated with the digital content and storing the thumbnail information into a hypertext transfer protocol (HTTP) directory such that the thumbnail information is accessible over a network (see col. 5, liens 13-32). At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the method disclose by Downs et al. to include the step of producing thumbnail information associated with the digital

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content and storing the thumbnail information into a hypertext transfer protocol (HTTP) directory such that the thumbnail information is accessible over a network. One of ordinary skill in the art would have been motivated to do this because it dramatically improves the content browsing process (see Brown et al, [0009]).

Referring to claim 22, Downs et al. disclose producing protected digital content (see claim 1 above). Downs et al. do not expressly disclose a processor is configured to produce thumbnail information associated with the digital content and storing the thumbnail information into a hypertext transfer protocol (HTTP) directory such that the thumbnail information is accessible over a network. Brown et al. disclose a processor configured to thumbnail information associated with the digital content and storing the thumbnail information into a hypertext transfer protocol (HTTP) directory such that the thumbnail information is accessible over a network (see col. 5, lines 13-32). At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the method disclose by Downs et al. to include a processor configured to produce thumbnail information associated with the digital content and storing the thumbnail information into a hypertext transfer protocol (HTTP) directory such that the thumbnail information is accessible over a network. One of ordinary skill in the art would have been motivated to do this because it dramatically improves the content browsing process (see Brown et al, [0009]).

Referring to claim 35, Downs et al. disclose producing protected digital content (see claim 1 above). Downs et al. do not expressly disclose instructions for causing the computer to produce thumbnail information associated with the digital content and storing the thumbnail information into a hypertext transfer protocol (HTTP) directory such that the thumbnail

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information is accessible over a network. Brown et al. disclose instructions for causing the computer to produce thumbnail information associated with the digital content and storing the thumbnail information into a hypertext transfer protocol (HTTP) directory such that the thumbnail information is accessible over a network (see col. 5, lines 13-32). At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the article disclose by Downs et al. to include instructions for causing a computer to produce thumbnail information associated with the digital content and storing the thumbnail information into a hypertext transfer protocol (HTTP) directory such that the thumbnail information is accessible over a network. One of ordinary skill in the art would have been motivated to do this because it dramatically improves the content browsing process (see Brown et al, [0009]).

Referring to claim 49, Downs et al. disclose producing protected digital content (see claim 1 above). Downs et al. do not expressly disclose retrieve thumbnail information associated with the digital content. Brown et al. disclose retrieve thumbnail information associated with the digital content. (see col. 5, lines 13-32). At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the article disclose by Downs et al. to retrieve thumbnail information associated with the digital content. One of ordinary skill in the art would have been motivated to do this because it dramatically improves the content browsing process (see Brown et al, [0009]).

8. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Downs et al. and Brown et al. as applied to claim 10 respectively above, and further in view of US Publication No. 2004/0039704 to Gilliam et al.



Downs et al. disclose producing digital content (see claim 1 above). Downs et al. do not expressly disclose controlling access includes using an XrML license. Gilliam et al. disclose controlling access includes using an XrML license (see paragraph [0035]). At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the method disclose by Downs et al. to include the step of controlling access includes using an XrML license. One of ordinary skill in the art would have been motivated to do this because it is a language that effectively expresses rights and conditions associated with a digital content.

9. Claims 24 and 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Downs et al. as applied to claim 14 and 36 respectively above, and further in view of Gilliam et al.

Downs et al. disclose producing digital content (see claim 1 above). Downs et al. do not expressly disclose a processor configured to control access includes using an XrML license. Gilliam et al. disclose a processor configured to control access includes using an XrML license (see paragraph [0035]). At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the method disclose by Downs et al. to include a processor configured to control access includes using an XrML license. One of ordinary skill in the art would have been motivated to do this because it is a language that effectively expresses rights and conditions associated with a digital content.

Referring to claim 37, Downs et al. disclose producing digital content (see claim 1 above). Downs et al. do not expressly disclose a processor configured to control access includes using an XrML license. Gilliam et al. disclose instructions for causing a computer to control access includes using an XrML license (see paragraph [0035]). At the time the invention was

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made, it would have been obvious to a person of ordinary skill in the art to modify the method disclose by Downs et al. to include instructions for causing a computer to control access includes using an XrML license. One of ordinary skill in the art would have been motivated to do this because it is a language that effectively expresses rights and conditions associated with a digital content.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jalatee Worjloh whose telephone number is 703-305-0057. The examiner can normally be reached on Mondays-Thursdays 8:30 - 7:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on 703-305-9768. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306, 703-746-9443 for Non-Official/Draft.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any response to this action should be mailed to:

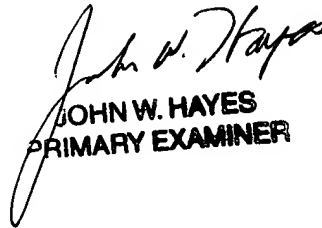
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Hand delivered responses should be brought to Crystal Park 5, 2451 Crystal Drive,  
Arlington, V.A., Seventh floor receptionist.

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April 19, 2004

  
JOHN W. HAYES  
PRIMARY EXAMINER